Supreme Court, U.S.
FILED

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No.

IN THE

Supreme Court of the United States

ANNARE L. LOUBSER,
Petitioner

v.

ROBERT W. THACKER
REX W. KEPNER
Respondents

On Petition For Writ Of Certiorari
To The United States Seventh Circuit Court of Appeals

PETITION FOR WRIT OF CERTIORARI

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May 10,2006

QUESTIONS PRESENTED

Whether State Judges in small rural towns who deliberately and intentionally agree to abandon impartiality, conduct informal partial judicial proceedings and engage in extra-judicial investigative functions, to deprive a litigant of foreign national origin of their property and livelihood, should be granted absolute judicial immunity form civil damages for deliberately and intentionally violating a "clearly established" due process right to a fair trial in an impartial tribunal?"

PARTIES TO PROCEEDING

Petitioner, Annaré L. Loubser referred to as Loubser, was plaintiff in the district court and appellant in the court of appeals. Respondent, Robert W. Thacker referred to as Thacker and Rex W. Kepner referred to as Kepner, defendants in the district court and appellee's in the court of appeals. The other parties listed in (Pet. App. 15) were appellee's in the court of appeals, but are not respondents in this petition.

DISCLOSURE STATEMENT

Annaré I. Loubser, Petitioner, Pro Se hereby discloses Pursuant to Rule 29.6 she owns a corporation in Indiana of which she is the sole owner and there is no parent company and it is not publicly held.

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The opinion of the Court of Appeals for the Seventh Circuit is reported at 2006 WL 549011,2(7th Cir. (C.A.7(Ind.), 2006). And attached in (Pet. App 1-14) The opinion of the district court is attached (Pet App 15-20).

JURISDICTION

The judgment of the United States Court Of Appeals for the Seventh Circuit was entered on March 8, 2006. This Court's jurisdiction is invoked under 28 U.S.C.A. § 1254 (1).

CONSTITUTIONAL AND LEGAL PROVISIONS INVOLVED

U.S.C.A. Const. Amend. XIV § 1
U.S.C.A. Const. Amend. XIII§(1)
42 U.S.C.A. § 1983
42 U.S.C.A. § 1985 (3)
42 U.S.C.A. § 1994
28 U.S.C. § 1331(a)
28 USCA § 455
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Code of Jud.Conduct, Canon 3(E)(1)
Code of Jud.Conduct, Canon 3(E)(1)(a)(b)
Code of Jud.Conduct, Canon 3E(1)(c)(d)(i)(ii)

STATEMENT

Petitioner Annaré L. Loubser filed a civil damages suit On October, 14, 2004, against State judge Robert W. Thacker and Rex W Kepner and the defendants listed in (Pet App. 15), in the United States District Court for the Northern District of Indiana, Hammond Division. The complaint was principally based on the conspiracy to violate Loubser's right to due process to a fair trial in an impartial tribunal and the equal protection of the law. The complaint raised the claim for conspiracy to deprive Loubser of property without due process of law which arise under federal civil rights statutes 42 USCA § 1983, 1985, 1994 and sought actual damages $1,169 850.70 and punitive damages $3, 509 552 for each count.[1]

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[1] The first two and four alleged between 2001-2004 the defendants conspired with state actors Thacker, Kepner and Babcock under color of law to deprive Loubser of her property and livelihood without the due process of law, and equal protection of law because she is from South African National Origin. Count 3 alleged that the state judges engaged in rebellion and insurrection against the authority of the Untied States and the laws thereof and giving aid and comfort thereto as prohibited by the constitution ArtXIV sec 2 and conspired and gave aid to the parties and deprived her of her property without the due process and equal protection and Loubser requested that the judges in their official capacities can not hold office in the Untied states, this was not address by Court of Appeals and is thus not able to be appealed in this court Count IV Official capacity claim against judges. was official capacity claim, barred by eleventh amendment. Count V Deliberate intent to neglect by her attorneys . Count VI. Attorney deliberate and intentional violation of oath of office The injury suffered as a result of the unconstitutional conduct was loss of liberty to live where she wants to, liberty to be free, liberty to work where and how much she wants to, loss of liberty to have kids., loss of property interest in employment, Severe mental anguish, liberty to pursue happiness, Denial of equal protection, of the laws of the United States, Loss of freedom of servitude, through treat of abuse of legal process and abuse of law, because she is form South African National Origin, deprivation of right to impartial trial Violation of her Fourteenth amendment due process, equal protection right and her Thirteenth amendment right .

Jurisdiction was asserted under 28 U.S.C. §§1331, 1343 (2004). The petitioners and other defendants moved to dismiss due to jurisdictional bars and absolute judicial immunity and failure to state a claim, witness and court reporter immunities. The district court dismissed (Pet. App. 15-20) on grounds of *Rooker-Fledman* and domestic relations exception to jurisdiction. The district court argued that Loubser's independent constitutional claim was barred by *Rooker-Fledman* , *Rooker v. Fidelity Trust Co.*,263 U.S.413(1923); *Court of Appeals v. Feldman*, 460 U.S. 462(1983); and that Loubser's independent constitutional claim arisen out of a state court divorce proceeding was barred by the domestic relations exception. *Ankenbrandt v. Richards,* 504 U.S.689, 703 (1992). Loubser appealed and a unanimous panel of the court of appeals affirmed the district court's dismissal of the judges based on absolute judicial immunity, but a divided panel vacated the district court's dismissal of the Loubser's independent constitutional claim for erroneous dismissal under the *Rooker-Fledman* doctrine and the domestic relations exception and held that Loubser stated a claim for conspiracy " to deprive the plaintiff of her property and livelihood by corrupting her divorce proceedings" Judge Sykes's dissenting regarding vacating and remanding the rest of the defendants for their conspiracy to deprive Loubser of property and livelihood by corrupting the state divorce proceedings and *Rooker-Feldman* and 'domestic relations exception and statement of claim are not part of this petition. The majority opinion by judge Posner determined that absolute judicial immunity protect the state court judges from damages for their less formal legal proceedings. And asserted that legal proceedings of 'less formality" are acceptable under the constitution to litigants in small rural communities. (Pet. App. 3) opinion. The court argues (Pet. App. 5) that claims against the judges are barred because Loubser is complaining about their judicial conduct and the judges have absolute immunity from

such damages claims and cited absolutely immune for his judicial acts and quoted, *John v. Barron* 897 F.2d 1387, 1391-92 (C.A.7 (Wis.),1990), *J.B. v. Washington County* 127 F.3d 919, 925 (C.A.10 (Utah),1997). (Pet. App. 5) Judicial immunity was granted to the judges by a unanimous decision (Pet. App.7) United States Court of Appeals Seventh Circuit, applying granting absolute judicial immunity based on the judicial act criteria and failed to apply the "expectation of the parties "exception to judicial immunity, for "engaging in the kind of conduct not expected of a judge under the Indiana statutes governing the jurisdiction of its courts" *Stump v. Sparkman* 435 U.S. 349, 363, 98 S.Ct. 1099, 1108 (U.S.Ind.,1978). Therefore this Court's authority is called upon.

REASONS FOR GRANTING THE WRIT

The United States Court of Appeals Seventh Circuit decision conflicts with the Ninth Circuit *Ashelman v. Pope* 769 F.2d 1360 (C.A.9 (Ariz.),1985), on the same important federal question. The Untied States Court of Appeals Seventh Circuit has decided and important question of federal law in conflict with this Court's *Stump v. Sparkman* 435 U.S. 349, 363, 98 S.Ct. 1099, 1108 (U.S.Ind.,1978) regarding the "expectations of the parties" exception to judicial immunity in *Stump v. Sparkman* 435 U.S. 349, 363, 98 S.Ct. 1099, 1108 (U.S.Ind.,1978). This Court is called upon to determine if this case falls within that exception and should this exception deny the judges absolute judicial immunity. This Court held that a " judge may be found criminally liable for violation of civil rights even though the judge may be immune from damages under the civil

statute." *Dennis v. Sparks* 449 U.S. 24, 101 S.Ct. 183 (U.S.,1980) This case differs from *Dennis* where lack of impartiality based on racial profiling is the graveman of this case." Fourteenth Amendment prohibits state itself from discriminating because of race" *Adickes v. S. H. Kress & Co.* 398 U.S. 144, 90 S.Ct.1598 (U.S.N.Y. 1970). State Judges" engaging in the kind of conduct not expected of a judge under the Indiana statutes governing the jurisdiction of its courts" *Stump v. Sparkman* 435 U.S. 349, 363, 98 S.Ct. 1099, 1108 (U.S.Ind.,1978) should not be granted absolute judicial immunity for violating the "expectation of the parties" of impartial tribunal. The Ninth circuits denial of judicial and prosecutor immunity *Ashelman v. Pope* 769 F.2d 1360 (C.A.9 (Ariz.),1985 overruled this Court's decision in *Dennis* 449 U.S. 24, 101 S.Ct. 183 (U.S. 1980) five years later. The *Stump* holding of this Court, should deny these judges absolute judicial immunity to guarantee that litigants are entitled to due process in an impartial tribunal and unconstitutional conduct such as hugging a witness(Pet. App. 23-26, 36), independent investigation of facts outside of the court room(Pet. App. 37) and using it to base decision on in the courtroom; joking with witness on the witness stand about their golf game and be physically touched. (Pet App 21-22, 32) by a relative (Pet. App 33) who was coached by litigant's attorney (Pet. App. 34-35) and representative of a litigant and laughing with a litigant saying" goodbye judge wudgee I will see you around town" (Pet . App 23-26, 36, 38) allowing the litigant to walk around in the courtroom a joke around with this women (Pet App. 21-22, 23-26, 36) who physically touched the judge and who is identified in a litigants legal bill (Pet. App. 34-35) being coached by the litigants attorney and identified as

representative and also a relative of litigant and friend of the judge, violates 'clearly established due process of law in an impartial tribunal and in violation of the "Indiana statutes governing jurisdiction of it's courts" *Stump v. Sparkman* 435 U.S. 349, 363, 98 S.Ct. 1099, 1108 (U.S.Ind.,1978) Pre-determined outcomes and agreement to abandon impartiality are non-judicial acts that should not be shielded by absolute judicial immunity. Every party expects a judge to be impartial every reasonable man on the street knows this is a "clearly established" law. An agreement to abandon impartiality "depriving judge and prosecutor of immunity" *Ashelman v. Pope* 769 F.2d 1360 (C.A.9 (Ariz.),1985) as in *Ashelman* should be applied in case like this one for the sake of the constitutional guarantee of impartiality of the judicial system in this country. The judges private prior arrangements to decide in favor of one party is not a judicial act, because judicial impartiality is the "expectations of the parties "435 U.S. 349, 363, according to the holding in *Stump* it deprives the judge of subject matter jurisdiction *Stump v. Sparkman* 435 U.S. 349, 363, 98 S.Ct. 1099, 1108 (U.S.Ind.,1978) pursuant to Indiana law A judge "will be subject to liability only when he has acted in clear absence of all jurisdiction" *Stump v. Sparkman* 435 U.S. 349, 98 S.Ct. 1099 (U.S.Ind.,1978). "judge before whom the action or proceeding is to be tried or heard has a personal bias or prejudice either against him or in favor of any opposite party to the suit, such judge shall proceed no further therein" *Berger v. U.S.* 255 U.S. 22, 33, 41 S.Ct. 230, 233 (U.S.1921)" Tribunals of the country shall not only be impartial in the controversies submitted to them but shall give assurance that they are impartial" *Berger v. U.S.* 255 U.S. 22, 36,

41 S.Ct. 230, 234 (U.S.1921) In the *Berger* court the court held that the judge " had no lawful right or power to preside as judge on the trial" *Berger v. U.S.* 255 U.S. 22, 36, 41 S.Ct. 230, 234 (U.S.1921) due to his personal bias as in this case before the court if a state judge "had no lawful right or power to preside as judge on the trial "*Berger v. U.S.* 255 U.S. 22, 36, 41 S.Ct. 230, 234 (U.S.1921) Such a judge acted in absence of all jurisdiction and should not be granted absolute judicial immunity. Investigatory function, was administrative function rather than judicial function, for which judges if anything should be "entitled to only qualified immunity" *Buckley v. Fitzsimmons* 509 U.S. 259, 113 S.Ct. 2606 (U.S.Ill.,1993). "Judges are not absolutely immune from liability and damages for administrative" functions *Forrester v. White* 484 U.S. 219, 108 S.Ct. 538 (U.S.Ill.,1988) such as independently investigating facts like Thacker did.

Due process in impartial tribunals is a "clearly established" constitutional right *Harlow v. Fitzgerald* 457 U.S. 800, 102 S.Ct. 2727 (U.S.Dist .Col.,1982), "right to due process of law is quite clearly established by the Due Process Clause, and thus there is a sense in which any action that violates that Clause (no matter how unclear it may be that the particular action is a violation) violates a clearly established right" *Anderson v. Creighton* 483 U.S. 635, 639, 107 S.Ct. 3034, 3039 (U.S.,1987). In *Harlow* the court held that "government officials performing discretionary functions generally are shielded from liability for civil damages insofar as their conduct does not violate clearly established statutory or constitutional rights of which reasonable person would not have known" *Harlow v. Fitzgerald* 457 U.S. 800, 102 S.Ct. 2727, 2729 (U.S.Dist.Col.,1982). Judges who violates "clearly established" due process by impartial tribunal should not

be shielded from liability. The "Constitutional floor established by Due Process Clause of Fourteenth Amendment requires fair trial in fair tribunal before judge with no actual bias against defendant or interest in outcome of his particular case." *Bracy v. Gramley* 520 U.S. 899, 117 S.Ct. 1793 (U.S.Ill.,1997) "Subjecting liberty and property of defendant to court, judge of which has direct, substantial, pecuniary interest against him, is denial of due process." *Tumey v. State of Ohio* 273 U.S. 510, 47 S.Ct. 437 (U.S., 1927). Loubser repeatedly requested removal from this bias and prejudice jurisdiction against her and the judges conspired to keep her case before them due to their pecuniary interest to provide the outcome they agreed to prior to the trial which is not a judicial act and should not be shielded from liability. Judge Thacker based the division of assets from what he learned on the golf course and altered the tax year (Pet App.27, 29, 39) of Loubser's corporation and then had attorney Justice threaten (Pet App. 28) her if she requested a correction of errors. Again the same illegal custom repeated when judge Kepner altered the tax year (Pet App.28, 40) and had attorney Justice threaten Loubser(Pet App.28, 40) if she dared to ask correction of errors. "If court acts without authority, its judgments and orders are regarded as nullities and for no bar to a recovery, even prior to a reversal. " *Hickey's Lessee v. Stewart* 44 U.S. 750, 1845 WL 6019, 1 (U.S.Miss.) (U.S.1845)

> "Every procedure which would offer a possible temptation to the average man as a judge to forget the burden of proof required to convict the defendant, or which might lead him not to hold the balance nice, clear, and true between the state and the accused denies the latter due process of law." *Tumey v. State of Ohio* 273 U.S. 510, 532, 47 S.Ct. 437,444 (U.S., 1927).

This standard should also apply to civil cases in which

litigants face loosing their property and their livelihood, by court order of a partial judge. The state judge may hold legal proceedings with " less formality" (Pet. App. 3), but the judgments are they render in less formal proceedings very formally deprives a litigant of their property. A judge has to be impartial such and extrajudicial agreement to abandon impartiality should not be protected by absolute judicial immunity, because it will set president that litigants in small rural towns, especially litigants of foreign national origin in small rural towns are not entitled to a fair and impartial trial, because they were not born with the as part of the social club. A trial for such a litigant would be no different than a hearing before and average man on the street, without due process. Judges should not be immune for their private prior agreements to decide in favor of one party, it is not a judicial act, they could have judicial immunity for their subsequent judicial acts but immunity should be declined for their extra-judicial non-judicial agreements to violate the constitutional protection of due process and equal protection guaranteed to all litigants of the United States. The power of a judge defined in the Indiana Code *IC 33-28-1-5(2)* "Make all proper judgments, sentences, decrees, orders, and injunctions, issue all processes, and do other acts as may be proper to carry into effect the same, in conformity with Indiana laws and Constitution of the State of Indiana. *IC 33-28-1-5 (2)* The Indiana Code of Judicial Conduct states ." An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining and enforcing high standards of conduct, and shall personally observe those standards in order to preserve the integrity and independence of the judiciary. "*Code of Jud.Conduct, Canon 1 (A)*" A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary." *Code of*

Jud.Conduct, Canon 2 (A). " A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently *Code of Jud Conduct*, Cannon 3. The judicial duties of a judge take precedence over all the judge's other activities. The judge's judicial duties include all the duties of the judge's office prescribed by law. *Code of Jud.Conduct, Canon 3 (A)* Adjudicative Responsibilities. (1) A judge shall hear and decide matters assigned to the judge except those in which disqualification is required. *Code of Jud.Conduct, Canon 3 (B)(1)(5)* A judge shall perform judicial duties without bias or prejudice. *Code of Jud.Conduct, Canon 3 (B)(5)* "A judge shall not initiate, permit, or consider ex parte communications, *Code of Jud.Conduct, Canon 3(B)(8)* Disqualification. "(1) A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where: *Code of Jud.Conduct, Canon 3(E)(1)(a)* the judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of disputed evidentiary facts concerning the proceeding; *(b)* the judge served as a lawyer in the matter in controversy, or a lawyer with whom the judge previously practiced law served during such association as a lawyer concerning the matter; or the judge has been a material witness concerning it; *Code of Jud.Conduct, Canon 3(E)(1)(a)(b)(c)* the judge knows that he or she, individually or as a fiduciary, or the judge's spouse, parent or child wherever residing, or any person residing in the judge's household, has an economic interest in the subject matter in controversy or in a party to the proceeding or has any other interest which is more than de minimis that could be substantially affected by the proceeding; or *(d)* the judge or the judge's spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person, or a person residing in the judge's household: *i)* is a party to the proceeding, or an officer, director or trustee of a party; *(ii)* is acting as a lawyer in the proceeding" *Code of Jud.Conduct, Canon*

3E(1)(c)(d)(i)(ii). The Indiana Code of judicial conduct mimics exactly *28 USCA § 455* disqualification standards for "Any justice, judge" of the United States. *28 USCA. § 455*, for federal judges.

> "To treat the relationship between a citizen and a federal agent unconstitutionally exercising his authority as no different from the relationship, between two private citizens. In so doing, they ignore the fact that power, once granted, does not disappear like a magic gift when it is wrongfully used. An agent acting-albeit unconstitutionally-in the name of the United States possesses a far greater capacity for harm than an individual trespasser exercising no authority other than his own. " *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics* 403 U.S. 388, 391-392, 91 S.Ct. 1999,2002 (U.S.N.Y. 1971)

This same standard should be applied to state officers who are acting under color of law. No private individual can deprive a person of his livelihood, therefore state judges who deliberately engage in a non-judicial act of extra-judicial agreement to act unconstitutionally and hold informal partial judicial proceedings in the name of the State of Indiana processes a far greater capacity to harm than a private citizen exercising no authority other than his own. "Judicial immunity is overcome in only two sets of circumstances: judge is not immune from liability for non-judicial actions, i.e., actions not taken in judge's judicial capacity; and judge is not immune for actions, though judicial in nature, taken in complete absence of all jurisdiction. "*Mireles v. Waco* 502 U.S. 9, 112 S.Ct.

286 (U.S.Cal.,1991) Loubser's case differs from this where the "Judge's alleged actions in directing police officers to bring before judge attorney who was in courthouse were taken in judge's "judicial capacity" and, thus, judge was judicially immune from § 1983 suit," *Mireles v. Waco* 502 U.S. 9, 112 S.Ct.286 (U.S.Cal.,1991). Loubser's case differs where the judges agreed outside of the court room to violate her right to due process to deprive her of her livelihood. This is not a " judicial act" the "judicial act" defense for absolute judicial immunity is not applicable in this case before the Court today. The colors of a state should not be a blanket immunity for deliberate and intentional unconstitutional conduct. It will set president that small rural state judges do not have to uphold the constitution of the United States of America and citizens of foreign national origin are not entitled to the equal protection of the constitution and their property and livelihood can be deprived without due process unlike American born citizens in larger cities as asserted by the United States Court of Appeals Seventh Circuit. This case is of great public importance to guarantee all citizens of foreign national origin in small rural towns the equal protection of the laws. The immunities should not protect violations of "clearly established" rights such as due process , otherwise the immunity overrides congresses intent with 42 U.S.C.A. § 1983 to protect citizens in states from unconstitutional conduct of state officers and denies citizens of states the protection of the constitution. "The statute, which came on the books as s 1 of the Ku Klux Klan Act of April 20, 1871, 17 Stat. 13, provides that 'every person' who under color of state law or custom 'subjects, or causes to be subjected, any citizen * * * to the deprivation of any rights, privileges, or immunities

secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.' To most, 'every person' would mean every person, not every person except judges. " As Justice DOUGLAS said in his dissenting opinion in *Pierson v. Ray* 386 U.S. 547, 558-564, 87 S.Ct. 1213,1220 - 1222 (U.S.Miss. 1967). Loubser's case clearly shows the condition of lawlessness which exists in this Indiana State court, under which a citizen was denied her civil rights. Congress intended to provide a remedy for the wrongs being perpetrated. A condition of lawlessness, a judge hugging a witness, a judge being physically touched by a relative and representative of opposing litigant identified by the attorney bill, a judge joking with a witness about their golf game on the witness stand, a judge allowing a litigant to walk around in the court room and joke with his relative and representative , the same women who physically touched the judge before ruling, then the judge laughing with the litigant confirming the informality of the proceeding and their meeting of the minds" goodbye judgee wudgee I will see you around town" (Pet. App. 24, 36, 38,) a kangaroo court a mockery of the due process protection of the constitution granting immunity to such disregard sets president that immunity will protect lawless kangaroo courts. (Pet App. 21-22, 23-26). Loubser admits that Roth rubbing Thakcer's belly is a fact she observed and she have to testify to it in open court and untimely submitted it into her brief prior to testifying about it and the pictures did not show all angles. The fact remains Candice Roth a relative and representative of litigant Pala physically touched the judge after having been in contact with Hoover the attorney for litigant Pala. (Pet. App. 21-26, 34-35). Denying immunity to these

judges will set president that all judicial proceeding have to be formal and the constitution protects all people even in small rural towns and it will be a deterrent to judges to remove themselves of the jurisdiction in which they are partial and allow litigants the equal protection. This complete breakdown in the administration of justice in this Indiana court has allowed laws that are nondiscriminatory on their face to be applied in a discriminatory manner and were ignored and the Constitution was defied this is the background for which 42 USCA § 1983 was passed and this is the background against which it should be interpreted. This statute was a remedial statute which purpose was to remedy the defects in well established preexisting law such as the doctrine of judicial immunity. Loubser has not brought these judges into federal court for honestly and conscientiously deciding the law as they understood it to be , quite the contrary she brought their intentionally agreement to abandon their oath of office to uphold the constitution of the United States of America a non- judicial act and their predetermined agreement of the outcome of the trial to the federal court. The Revised Statutes of 1878 as printed in 42 USCA § 1983, refers to " every person" rather than "any person" this did not " exclude judges. No one should be so protected by immunities that they are above the laws of the United States of America. Then some state courts like these Indiana state courts are instruments of suppression of civil rights. The wrong that need to be remedied still exists. A judge who is guilty of using his powers to vent spleen and personal motives on a litigant does not grant such a litigant the due process protection of the fourteenth amendment. A"judge should not himself

give vent to personal spleen or respond to a personal grievance. These are subtle matters, for they concern the ingredients of what constitutes justice. Therefore, justice must satisfy the appearance of justice. *Offutt v. U.S.* 348 U.S. 11, 14, 75 S.Ct. 11, 13 (U.S. 1954); *Peckham v. United States*, 93 U.S.App.D.C. 136, 210 F.2d 693, 702. Acts "all without regard for the Fourteenth Amendment or state constitution; " *Harper v. Merckle* 638 F.2d 848 (C.A.Fla., 1981) should not grant absolute immunity for the acts, but only qualified immunity. Act such as independently investigating facts (Pet App .37, 39) discussing division of assets on the golf course, then alter Tax year as result and divide assets based on that fact. The method on how assets division should be done was brought to the state judge Thacker's attention at a social gathering. The division of assets based on the standard of living the state judge determined by observing Loubser socializing with friends (Pet. App. 37) outside of the court room, " both parties continued to socialize with their friends" State judge Thacker admitted by this statement that he was socializing with litigant Pala or as Pala said " goodbye judgee wudgee, I will see you around town". No testimony to this fact was every testified to at trial. The judge based decision in the court room on what he learned at social gatherings and not based on what the judge learned in the court room. This act outside of court room of indenpendantly investigating facts by judges are not protected by absolute immunity as in the *Harper* court. *Harper v. Merckle* 638 F.2d 848 (C.A.Fla., 1981) This judge acted as a "finder of fact and judge, all without benefit of counsel, and all of which actions were taken without regard of Fourteenth Amendment " *Harper v. Merckle* 638 F.2d 848 (C.A.Fla., 1981). This is an

"illegal" act "for purpose of claim under Civil Rights Act" based on independent investigation of facts for deliberate, malicious deprivation of property "such illegality had no effect on whether judge was judicially immune from liability for damages." 42 U.S.C.A. § 1983 *Harper v. Merckle* 638 F.2d 848 (C.A.Fla., 1981) "A judges nonjudicial acts" would be immune from damages liability under Civil Rights Act unless he knew or reasonably should have known that the action he took would violate plaintiff's constitutional rights or if he took the action with malicious intention to cause a deprivation of such rights" *Harper v. Merckle* 638 F.2d 848 (C.A.Fla., 1981). Hugging a witness are non-judicial acts and if anything only qualified immunity should be granted. Absolute judicial immunity should not be granted to protect state judges who are unfaithful to their oath of office. Denying immunity to these judges will set president to deter judges in the future to not deliberately and intentionally agree to be unfaithful to their oath of office and decide in favor of a party and turn a court room into a kangaroo court. It will also set president that if a litigant request removal form such a jurisdiction so biased against them that a judge will not deliberately keep that case before him to guarantee a favorable outcome to his friends. "Congress has power to enforce Fourteenth Amendment against those who carry badge of authority of a state and represent it in some capacity, whether they act in accordance with their authority or misuse it. " *Monroe v. Pape* 365 U.S. 167, 81 S.Ct. 473 (U.S. 1961) . If judges are always immune it is to say that 'The King can do no wrong'

> "'The reason and cause why a judge, for anything done by him as judge, by the authority which the

> king hath committed to him, and as sitting in the seat of the king (concerning his justice), shall not be drawn in question before ary other judge, for any surmise of corruption, except before the king himself, is for this: the king himself is *de jure* to deliver justice to all his subjects; and for this, that he himself cannot do it to all persons, he delegates his power to his judges, who have the custody and guard of the king's oath. And forasmuch as this concerns the honor and conscience of the king, there is great reason that the king himself shall take account of it, *and no other*.'
>
> *Randall v. Brigham* 74 U.S. 523, 533 (U.S.1868)

Since there is no king in the United States, this immunity doctrine could be interpreted as a doctrine of protection for lawlessness , because there is no 'king' that will deliver justice to all his subjects if judges are immune. Since congress makes the law of the United States the congress could be considered the 'king' Congress expressly said that 'every person' who deprives a citizen of their civil rights shall be held liable in suit of equity. To apply the law the 'king' of the United States, congress guaranteed justice to all his subjects in the remedy in 42 U.S.C.A. § 1983. Judges were not excluded and therefore should not be granted blanket immunity for deliberately and intentionally being unfaithful to their oath of office and the constitution of the United States of America. Public policy demands impartiality and not absolute immunity for violation of this "clearly established " right, *Harlow v. Fitzgerald* 457 U.S. 800, 102 S.Ct. 2727 (U.S.Dist.Col.,1982). "Government officials performing discretionary functions generally are shielded from liability for civil damages insofar as their conduct does not violate clearly established statutory or

constitutional rights ' *Harlow v. Fitzgerald* 457 U.S. 800, 102 S.Ct. 727 (U.S.Dist. Col.,1982) Therefore these state judges should not be immune from liability and be entitled to immunity as "officials are entitled to a qualified good faith immunity from liability for damages under the Civil Rights Act, they are not immune from such liability if they knew or reasonably should have known that the action they took within their sphere of official responsibility would violate the constitutional rights" *Wood v. Strickland* 420 U.S. 308, 95 S.Ct. 992 (U.S.Ark. 1975). This standard should apply to these state judges who should have known to abandon their impartiality, an action they took within their sphere of official responsibilities is an unconstitutional act and would violated the constitutional rights of the litigant affected and for such act they should not be immune from damage liabilities under the Civil Rights Act. Abandoning impartiality is not just unconstitutional , but is in violation of the Indiana Code of Judicial Conduct and requires disqualification and deprives them of subject matter jurisdiction in a case where disqualification was required per Indiana Law. ". A judge shall hear and decide matters assigned to the judge except those in which disqualification is required. *Code of Jud.Conduct, Canon* 3 (B)(1). As in the case of Loubser "they took the action with malicious intent to cause a deprivation of such rights or other injury "*Wood v. Strickland* 420 U.S. 308, 95 S.Ct. 992 (U.S.Ark. 1975) because they racially profiled Loubser as a "fucking South African bitch who makes too much fucking money". This was the malicious intent to deprive her of her livelihood. Therefore under this Court's holding in *Wood v. Strickland* these judges malicious intent to deliberately deprive Loubser of

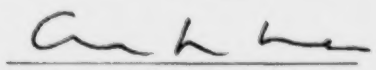
property and livelihood without due process of law and equal protection of law should not grant them the defense of absolute judicial immunity. If small rural town judges who are angered that citizen's of foreign national origin make more money than they, are given free reign under the color of law to deprive a litigant of their livelihood without the due process of law, then they have been given a licence to re-introduce a new form of slavery by depriving a litigant of their livelihood prohibited by 42 U.S.C.A. § 1994 "either slavery nor *involuntary servitude* except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, nor any place subject to their jurisdiction. *Slaughter-House Cases* 83 U.S. 36, 38, 1872 WL 15386, 6 (U.S.La.) (U.S.null). The malicious intent was to place Loubser under involuntary servitude by depriving her of her livelihood in violation of the thirteenth amendment and then threaten her with a abuse of law if she dared not to work and live where she want to (Pet App 30-31). When defendants went so far as too threaten her with abuse of law if she dared to move to Indianapolis and she had to cancel her rented apartment in Indianapolis or face having no funds to live off by court order. Government officials are immune from "civil damages insofar as their conduct does not violate "clearly established" statutory or constitutional rights of which a reasonable person " should have known. *Harlow v. Fitzgerald* 457 U.S. 800, 801, 102 S.Ct. 2727, 2729 (U.S.Dist. Col.,1982). Every reasonable person knows that a judge has to be impartial and for an extra-judicial non judicial act such as an agreement to abandon impartiality for a predetermined outcome, these judges for the sake of public interest should not be granted absolute judicial immunity for acting in absence of jurisdiction, when the disqualification

statute required that they were not authorized to preside over this case for violating the "expectations" of due process and equal protection by impartiality. USCA 1985(3) Denying immunity to these state judges will be a deterrent for state judges not deny litigants of foreign national origin due process and equal protection.

CONCLUSION

For the forgoing reasons this Court should grant Writ of Certiorari to the Supreme court to reverse the dismissal of civil claim against the judges by the court of Appeals and deny the judges absolute judicial immunity and remand the judges to trial.

Respectfully submitted,



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STATUATORY APPENDIX

U.S.C.A. Const. Amend. XIV § 1

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. "

42 U.S.C.A. § 1983

"Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress"

42 U.S.C.A. § 1985 (3)

(3) Depriving persons of rights or privileges.

"If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat,"....." or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

42 U.S.C.A. § 1994

"The holding of any person to service or labor under the system known as peonage is abolished and forever prohibited in any Territory or State of the United States; and all acts, laws, resolutions, orders, regulations, or usages of any Territory or State, which have heretofore established, maintained, or enforced, or by virtue of which any attempt shall hereafter be made to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary service or labor of any persons as peons, in liquidation of any debt or obligation, or otherwise, are declared null and void.

U.S.C.A. Const. Amend. XIII§(1)

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

28 U.S.C. § 1331(a):

"The district courts shall have original jurisdiction of all civil actions wherein the matter in controversy exceeds the sum or value of $10,000, exclusive of interest and costs, and arises under the Constitution, laws, or treaties of the United States."

28 U.S.C.A. § 1254 (1)

(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree;

28 U.S.C.A. § 1343 (a)(1)(2)(3)(4)

(a) The district courts shall have original jurisdiction of

any civil action authorized by law to be commenced by any person:**(1)** To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 1985 of Title 42; **(2)** To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section 1985 of Title 42 which he had knowledge were about to occur and power to prevent; **(3)** To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States; **(4)** To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on 10 day of May, 2006 a true and complete copy of the foregoing was served upon each of the following individuals by depositing a copy of same to each in the United States mail with sufficient first class postage affixed thereto.

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Supreme Court, U.S.
FILED

051451 MAY 10 2006

OFFICE OF THE CLERK

No.

IN THE

Supreme Court of the United States

ANNARE L. LOUBSER,
Petitioner

v.

ROBERT W. THACKER
REX W. KEPNER
Respondents

On Petition For Writ Of Certiorari
To The United States Seventh Circuit Court of Appeals

APPENDIX TO PETITION FOR WRIT OF CERTIORARI PAGE 1-40

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May ,2006

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In the
United States Court of Appeals
For the Seventh Circuit

No. 05-3058

ANNARE L. LOUBSER,

Plaintiff-Appellant,

v.

ROBERT W. THACKER, *et al.*,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Indiana, Hammond Division.
No. 4:04-CV-75 AS—**Allen Sharp**, *Judge*.

SUBMITTED DECEMBER 5, 2005—DECIDED MARCH 8, 2006

Before POSNER, WILLIAMS, and SYKES, *Circuit Judges*.

POSNER, *Circuit Judge*. Annare Loubser brought this federal civil rights suit under 42 U.S.C. § 1983 against more than 40 individuals who she alleges conspired to defraud her by corrupting her divorce proceedings; those proceedings ended in a judgment that, she claims, deprived her of property to which she was entitled. She brought this suit after the state appellate court had affirmed the judgment in the divorce proceedings. The district court dismissed the suit on the pleadings as barred by two judge-made doctrines: *Rooker-Feldman*, which denies the lower federal courts the authority to overturn a state court judgment, and the

"domestic relations exception," a judge-made doctrine that denies to the federal courts jurisdiction over domestic-relations matters such as divorce on the theory that the reference to "the judicial Power" in Article III of the Constitution was intended to exclude the powers exercised by Britain's ecclesiastical courts, which, rather than the common law courts at Westminster, exercised jurisdiction in such matters. (Because the judgment in the divorce suit was civil rather than criminal, the doctrine of *Heck v. Humphrey* is clearly inapplicable. See, e.g., *Wilkinson v. Dotson*, 125 S. Ct. 1242, 1248 (2005).)

Loubser does not have a lawyer. Although her self-authored complaint is quite well written, it is sprawling—71 pages long divided into 115 paragraphs—disorganized, and repetitious. Worse, it has a paranoid quality, with some of the allegations bordering on, perhaps crossing over into, the fantastic. The complaint charges that over a three-year period beginning in August of 2001, state judges and court reporters, Loubser's own lawyers, her former husband, building contractors, the owner of a jewelry store, and numerous friends and relatives of the other conspirators, conspired to destroy her financially and drive her out of the country by manipulating the divorce proceedings to deny her due process of law, and that they did all this because they consider her a "fucking South African Bitch who makes too much Fucking Money" as a physical therapist. One of the defendants, she charges, destroyed title documents essential to her divorce proceedings; two of the defendants effaced all records of the existence of a related case; her own lawyers, along with court reporters, altered transcripts; her lawyers refused to present crucial evidence; the judge presiding over the divorce proceeding consorted improperly with Loubser's ex-husband and a number of his witnesses, one of whom touched the judge and "rubbed his belly" (at

a party, though, not in court). Among still other allegations, Loubser charges that the judge joked about golf with a witness while he was testifying and the court reporter deliberately deleted the exchange from the transcript, and that Loubser's ex-husband said to the judge, "goodbye judgee wudgee, I will see you around town." In support of the belly-rubbing allegation, Loubser has included in the appendix to her opening brief in this court photographs of the incident, but the photographs do not depict anybody's belly being rubbed.

It is highly improbable that the suit has any merit, but the allegations are not *so* fantastic that the suit can be dismissed out of hand, as being obviously frivolous, as in *Lee v. Clinton*, 209 F.3d 1025 (7th Cir. 2000). The setting for the alleged conspiracy is White County, Indiana, a rural county with a population of only 25,000. The county seat, Monticello, where the divorce proceedings were held, has a population of only 5,500. No doubt there is much less formality than attends litigation in big cities and much more social interaction among the judges, lawyers, and other members of the community. Loubser has probably mistaken innocent interactions for a vast conspiracy. But this is not a case on the fantasy level of *Lee*, where the complaint "charg[ed] the United States and China with a conspiracy to 'bio-chemically and bio-technologically infect and invade' " various people including Lee "with a mind reading and mental torture device" called "MATRET," to elude which "Lee claim[ed] to have developed a variety of space technologies, ...including an email system and nanny services, that [would] enable the victims of MATRET to relocate to MATRET-free planets." The reference to extraterrestrial nanny service was the clincher.

The grounds on which the district court dismissed Loubser's suit were erroneous. The claim that a defendant

in a civil rights suit "so far succeeded in corrupting the state judicial process as to obtain a favorable judgment" is not barred by the *Rooker-Feldman* doctrine. *Nesses v. Shepard*, 68 F.3d 1003, 1005 (7th Cir. 1995). Otherwise there would be no federal remedy other than an appeal to the U.S. Supreme Court, and that remedy would be ineffectual because the plaintiff could not present evidence showing that the judicial proceeding had been a farce, cf. *Moore v. Dempsey*, 261 U.S. 86, 91 (1923) (Holmes, J.); one cannot present evidence to an appellate court. This is in general rather than in every case, and maybe Indiana law would have enabled Loubser to present evidence in her appeal, but this issue has not been addressed. Moreover, the relief she seeks would go far beyond merely modifying the division of property decreed by the divorce court. She wants damages for the harassment to which the defendants allegedly subjected her en route to the judgment, including efforts to destroy her business as a physical therapist and drive her out of the country.

This is not to say that Loubser had no possible state remedies, including bringing a postjudgment challenge to the decree as having been procured by fraud and complaining about judicial misconduct to the Indiana Judicial Nominating Commission, though the latter course would not have gotten her the monetary damages that she is seeking. But *Rooker-Feldman* does not impose a duty to exhaust judicial and administrative remedies before pursuing a federal civil rights suit. Except in prisoner suits, there is no requirement that a plaintiff in a suit under 42 U.S.C. § 1983 exhaust state remedies. E.g., *Wilkinson v. Dotson, supra*, 125 S. Ct. at 1246; *Patsy v. Board of Regents*, 457 U.S. 496, 501 (1982). And, as we pointed out, merely modifying the divorce decree would not give Loubser all the relief she seeks in this lawsuit.

The domestic-relations exception to federal jurisdiction is not applicable to this case either. A federal court cannot grant or annul a divorce, but that is not what Loubser is seeking.

Of course her claims against the judges are barred; she is complaining about their judicial conduct, and they have absolute immunity from such damages claims. E.g., *John v. Barron*, 897 F.2d 1387, 1391-92 (7th Cir. 1990); *J.B. v. Washington County*, 127 F.3d 919, 925 (10th Cir. 1997). The other official defendants, the court reporters, do not. *Antoine v. Byers & Anderson, Inc.*, 508 U.S. 429, 436-37 (1993); *McCullough v. Horton*, 69 F.3d 918 (8th Cir. 1995) (per curiam). *Forte v. Sullivan*, 935 F.2d 1, 3 (1st Cir. 1991) (per curiam), notes a circuit split on this issue, but the split was resolved in the *Antoine* case in favor of liability.

Not that court reporters are liable in a section 1983 case for innocent errors, even if negligent. Section 1983 claims cannot be founded on negligence. *Daniels v. Williams*, 474 U.S. 327, 330 (1986); *Lewis v. Anderson*, 308 F.3d 768, 773 (7th Cir. 2002); *Upsher v. Grosse Point Public School System*, 285 F.3d 448, 453-54 (6th Cir. 2002). But if, as the complaint alleges, the reporters deliberately altered a transcript as part of a conspiracy to defraud a litigant, they can, lacking absolute immunity, be held liable. The defendants do not argue otherwise.

The remaining issue is whether the allegations of conspiracy are sufficiently informative to survive dismissal. The issue is close. Although conspiracy is not something that Rule 9(b) of the Federal Rules of Civil Procedure requires be proved with particularity, and so a plain and short statement will do, *Hoskins v. Poelstra*, 320 F.3d 761 (7th Cir. 2003); *Walker v. Benjamin*, 293 F.3d 1030, 1039 (7th Cir. 2002); *Walker v. Thompson*, 288 F.3d 1005, 1007 (7th Cir. 2002); see

generally *Swierkiewicz v. Sorema, N.A.*, 534 U.S. 506, 512 (2002); *Leatherman v. Tarrant County Narcotics Intelligence & Coordination Unit*, 507 U.S. 163, 168 (1993), it differs from other claims in having a degree of vagueness that makes a bare claim of "conspiracy" wholly uninformative to the defendant. Federal pleading entitles a defendant to notice of the plaintiff's claim so that he can prepare responsive pleadings. Fed. R. Civ. P. 8(a); *Doe v. Smith*, 429 F.3d 706, 708 (7th Cir. 2005); *Lotierzo v. A Woman's World Medical Center, Inc.*, 278 F.3d 1180, 1183 (11th Cir. 2002). That is why courts require the plaintiff to allege the parties, the general purpose, and the approximate date of the conspiracy. *Walker v. Thompson*, *supra*, 288 F.3d at 1007-08; *Ryan v. Mary Immaculate Queen Center*, 188 F.3d 857, 858-60 (7th Cir. 1999).

But this information can be found in the plaintiff's complaint, though in disjointed form. The parties to the conspiracy are clearly identified; the conspiracy is alleged to have begun in August of 2001 and to have continued for at least three years; and its purpose—to deprive the plaintiff of her property and livelihood by corrupting her divorce proceeding—is clearly if repetitiously stated as well. *Pangburn v. Culbertson*, 200 F.3d 65, 72 (2d Cir. 1999). The dates on which particular defendants joined the conspiracy are not alleged, but that is not the kind of information that a plaintiff can be expected to have when she files her complaint.

What is true is that the complaint is confusing. The district court would have been within its rights in dismissing it on that ground, e.g., *Fidelity National Title Ins. Co. v. Intercounty National Title Ins. Co.*, 412 F.3d 745, 749 (7th Cir. 2005); *Lindell v. McCallum*, 352 F.3d 1107, 1110 (7th Cir. 2003); *Davis v. Ruby Foods, Inc.*, 269 F.3d 818, 820 (7th Cir. 2001); *In re Westinghouse Securities Litigation*, 90 F.3d 696, 703-04 (3d Cir.

1996); *Simmons v. Abruzzo*, 49 F.3d 83, 86-87 (2d Cir. 1995), but with leave to replead. That is not what the court did; it dismissed with prejudice, which would have been proper on grounds of confusion only after the plaintiff had demonstrated her inability to file a lucid complaint, which she has not done. True, this was her second, amended complaint, but the first was not denied on the ground that it was confusing. Nor was confusion among the court's grounds for the dismissal of the second complaint. We should cut her a bit of slack, since she is pro se.

The judgment is affirmed with respect to the dismissal of the judges as defendants, but is otherwise vacated and the case remanded for further proceedings consistent with this opinion.

AFFIRMED IN PART, VACATED IN PART, AND REMANDED WITH DIRECTIONS.

SYKES, *Circuit Judge*, concurring in part, dissenting in part. I agree that Loubser's suit is not barred by the *Rooker-Feldman* doctrine or the "domestic relations exception" to federal jurisdiction. I also agree that the state court judges have absolute immunity and the dismissal of the claims against them should be affirmed on that alternative basis. I cannot agree, however, with the majority's decision to reverse the judgment dismissing the claims against the remaining defendants, and to that extent must respectfully dissent.

Annare Loubser received an unfavorable judgment in what apparently were highly protracted and contentious

divorce proceedings in Indiana state court. She appealed the decision, but the Indiana Court of Appeals affirmed and the Indiana Supreme Court denied review. Loubser then brought this federal suit under 42 U.S.C. § 1983 against *more than 40 defendants*—her former husband; various and sundry people involved in the state divorce court proceedings, including two trial judges, two court reporters, several attorneys and a paralegal, numerous witnesses, and some of their friends and relatives; and the staff counsel to the Indiana Judicial Qualifications Commission.[1] Loubser alleged that the defendants conspired to violate her due process and equal protection rights in her divorce case because of her South African heritage and for other corrupt reasons.

Loubser's 71-page amended complaint is a rambling and often incoherent statement of grievances related to her divorce case, presented in a stream-of-consciousness narrative. It has the paranoid and borderline fantastic quality described in the majority opinion. Among other injuries, Loubser claims the defendants' actions have deprived her of property; kept her in a state of "involuntary servitude"; impeded her "pursuit of happiness"; and interfered with her "liberty to live where she chose [sic] to," her liberty to have children, and her "liberty to work where she wanted to and to chose [sic] how much she wants to work." She made an unusually precise damages demand, seeking $1,169,850.70 in compensatory damages and $3,509,552 in punitive damages.

The district court dismissed the case for lack of jurisdiction under both the *Rooker-Feldman* doctrine and the domes-

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[1] She also sued the United States but voluntarily dismissed that claim.

tic relations exception to federal jurisdiction. The court held that Loubser was essentially attempting to undo the results of her state court divorce case.

Under the *Rooker-Feldman* doctrine the lower federal courts lack jurisdiction to review or modify state court civil judgments. *Rooker v. Fid. Trust Co.*, 263 U.S. 413, 416 (1923); *D.C. Court of Appeals v. Feldman*, 460 U.S. 462, 476 (1983); *Schmitt v. Schmitt*, 324 F.3d 484, 486 (7th Cir. 2003). As the Supreme Court recently clarified, the doctrine applies to "cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments." *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 125 S. Ct. 1517, 1521-22 (2005).

There is no question that Loubser's amended complaint is an attack on the proceedings in her state court divorce case, alleging due process and equal protection violations; the district court's conclusion that *Rooker-Feldman* blocked federal jurisdiction was thus quite understandable. But this court has held that *Rooker-Feldman* does not prevent litigants from seeking a federal remedy for alleged violations of their constitutional rights where "the violator so far succeeded in corrupting the state judicial process as to obtain a favorable judgment." *Nesses v. Shepard*, 68 F.3d 1003, 1005 (7th Cir. 1995). To the extent that Loubser is contending she was denied the right to be judged by an uncorrupted tribunal and seeks damages for the resulting harm, *Nesses* holds that *Rooker-Feldman* does not apply. It seems to me that the *Nesses* exception could consume the *Rooker-Feldman* rule if interpreted too broadly, but I do not quarrel with its applicability here.

Nor do I disagree with the majority's conclusion that the domestic relations exception does not apply. The exception prohibits federal courts from hearing custody, divorce, and alimony disputes or any related claims that arise from these domestic relations matters. *Friedlander v. Friedlander*, 149 F.3d 739, 740 (7th Cir. 1998); *Allen v. Allen*, 48 F.3d 259, 262 (1995). I agree that Loubser's claims of conspiracy are not domestic relations matters.

This common ground brings up the alternative arguments to affirm the judgment, and here I part company with the majority in certain significant respects. The amended complaint targets several categories of defendants. The first includes the judges, Robert Thacker and Rex Kepner, who are immune from suit. See *Dawson v. Newman*, 419 F.3d 656, 660 (7th Cir. 2005). I agree with the majority's decision to affirm the dismissal of the case against them.

The next category includes the court reporters who, unlike the judges, do not enjoy absolute immunity from suit. *Antoine v. Byers & Anderson, Inc.*, 508 U.S. 429, 436-37 (1993). Loubser alleges that the reporters altered portions of the transcript in her divorce case. But a "plaintiff does not have a constitutional right to a totally accurate transcript of his . . . trial." *Tedford v. Hepting*, 990 F.2d 745, 747 (3d Cir. 1993). A plaintiff's constitutional rights are violated only if the "inaccuracies in the transcript adversely affected the outcome" of the proceeding. *Id.* See also *Colyer v. Ryles*, 827 F.2d 315, 316 (8th Cir. 1987) (explaining that a civil complaint for damages was frivolous where the plaintiff was not prejudiced by an allegedly altered transcript). Loubser does not claim that the alleged alterations in the transcript adversely affected the outcome of her divorce case; there are no further allegations against the court reporters. Loubser has not alleged an actionable constitu-

tional violation by the court reporters, and I would affirm the dismissal of the claims against them.

The allegations against the staff counsel for the Indiana Judicial Qualifications Commission are wholly insufficient to state a constitutional claim. The amended complaint alleges that the attorney, Meg Babcock, was "informed . . . by mail" that Thacker "used his knowledge from outside of the court room to decide the division of assets in the court room" and "turned a blind eye to it." Loubser has not alleged that Babcock personally participated in a constitutional violation, nor has she alleged any proper alternative basis for liability on the part of the attorney. See *Sanville v. McCaughtry*, 266 F.3d 724, 740 (7th Cir. 2001); *Chavez v. Ill. State Police*, 251 F.3d 612, 651 (7th Cir. 2001). I would affirm the dismissal of the claim against Babcock.

Finally, the largest category of defendants consists of the numerous private actors: Loubser's ex-husband; the attorneys and the paralegal; the witnesses in the divorce case; some of their friends and relatives. The allegations about the conduct of these defendants comprise almost the entire amended complaint. Section 1983 can reach private citizens only where a plaintiff adequately alleges that they conspired with a state actor to deprive that plaintiff of a constitutional right. See *Brokaw v. Mercer County*, 235 F.3d 1000, 1016 (7th Cir. 2000). Specifically, a plaintiff must allege in her complaint that: "(1) a state official and private individual(s) reached an understanding to deprive the plaintiff of his constitutional rights, and (2) those individual(s) were willful participants in joint activity with the State or its agents." *Id.* (internal quotations and citation omitted). A generalized allegation of conspiracy that fails to identify the timing, scope, and terms of the agreement between the private person and one or

more state actors will not satisfy even the minimal requirements of notice pleading under FED. R. CIV. P. 8. See *Ryan v. Mary Immaculate Queen Ctr.*, 188 F.3d 857, 860 (7th Cir. 1999).

For all its length and meandering density, the amended complaint contains only generalized allegations of conspiracy. Although Loubser has identified a basic time frame and conspiratorial purpose, she has not alleged that each of the private citizen defendants entered into an agreement with one or more state actors to deprive her of her constitutional rights, nor has she clearly alleged their individual participation in joint activity with state agents. To be sure, the amended complaint purports to describe some of the activities of some of these defendants during the course of the divorce case, but it does so mostly incoherently. The more readily decipherable allegations do not assert the existence of an agreement or understanding as between each of the individual private citizen defendants and a state actor. Instead, Loubser has pleaded a jumbled collection of alleged misdeeds by some of the private citizen defendants during the state court divorce proceedings, together with a generalized allegation of conspiracy. This is insufficient to state a § 1983 claim against the private citizen defendants.

As noted by the majority, the purpose of federal pleading requirements is to provide notice to the defendant to facilitate the preparation of a response. But another equally important purpose is "to allow the court to determine at the outset of the litigation, before costly discovery is undertaken, whether the plaintiff has any tenable theory or basis of suit, so that if he does not the case can be got rid of immediately without clogging the court's docket and imposing needless expense on the defendant." *Ryan*, 188 F.3d at 860. Loubser's amended complaint does not adequately allege a tenable basis for a § 1983 civil

rights conspiracy claim against the private citizen defendants.[2] We should not put them to the needless expense of continuing to defend against it, nor should we burden the lower court by returning a meritless case to its docket. I would affirm the judgment dismissing the case in its entirety.

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[2] Leave to replead is not warranted here. The amended complaint is Loubser's second try at pleading a civil rights conspiracy by the defendants; she has not succeeded in filing a short, plain, and actionable claim.

A true Copy:

Teste:

Clerk of the United States Court of Appeals for the Seventh Circuit

APPENDIX

Parties to the Court of Appeals Seventh Circuit

Alexander R. Pala; R. Dennis Hoover, William B. Weist; Roth Jewelers, aka Roth Brothers; William Roth; Candace A. Roth aka Candace Roth aka Candy Roth; Gregory Roth aka Greg Roth; Rusty Roth; Kindra Roth; Jillian Roth aka Jill Roth; David Diener; Diener Supply and Hardware; Douglas Radersdorf; Radersdorf and Associates, PC; Thomas Grzesik; Thomas Grzesik & Associates Inc.; Lawrence Culp; Terry Smith; Sondra Rumple; Courtney B Justice; Halsen Brothers Sheet Metal Heating and Air Conditioning; Ronald N. Halsen aka Ron Halsen, aka Ronnie Halsen; Michael Hamilton, aka Mike Hamilton, Frederick Henney, MD; Indiana Abstract and Title Co; Theresa Lepper; White County Title and Abstract Company; Steven Fishel; Kathy Fishel; Justice Law Office; Corina Montine; Meg Babcock; Kathy J. Freeman; Brendt Dechert; David W Stone IV; Charles Traylor.

United States District Court Decision, dismissal of the case

United States District Court
Northern District of Indiana
ANNARE L LOUBSER
Plaintiff

v. JUDGEMENT IN A CIVIL ACTION
Case No. 4: 04cv75

UNITED STATES OF AMERICA
ROBERT W. THACKER;
REX W. KEPNER; ALEXANDER R PALA
R. DENNIS HOOVER; WILLIAM B. WEIST;
ROTH JEWELERS, a/k/a Roth Brothers;
WILLIAM ROTH, CANDACE ROTH, a/k/a

C. Roth,a/k/a Candace Roth, a/k/a Candy Roth; GREGORY ROTH, a/k/a Greg Roth; RUSTY ROTH KINDRA ROTH; JILLIAN ROTH, a/k/a Jill Roth; DAVID DIENER; DIENER SUPPLY & HARDWARE; DOUG RADERSFORF; RADERSDORF & ASSOCIATATES PC; THOMAS GREZIK; THOMAS GRZESIK & ASSOCIATES INC; LAWRENCE CULP; TERRY SMITH, Deputy Prosecutor; SONDRA RUMPLE; COURTNEY B JUSTICE; HALSEN BROTHERS SHEET METAL HEATING AIR CONDITIONING; RONALD HALSEN, a/k/a Ron Halsen, a/k/a Ronnie Halsen; MICHAEL HAMILTON, a/k/a Mike Hamilton; FREDERICK HENNEY, MD; INDIANA ABSTRACT & TITLE CO; THERESA LEPPER; WHITE COUNTY TITLE & ABSTRACT COMPANY; STEVEN FISHEL; KATHY FISHEL;JUSTICE LAW OFFICE; CORINA MONTINE; MEG BABCOCK; KATHY J FREEMAN; BRENDT DECHERT; DAVID W STONE IV; CHARLES TRAYLOR;

Defendants

[ ] **Jury Verdict.** This action came before the court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

[X] **Decision by Court**. This action came to trial , hearing or consideration before the Court. The Issue have been tired, heard or considered and a decision hs been rendered.

IT IS ORDERED AND ADJUDGED that Pursuant to Rule 12 of the Federal Rules of Civil Procedure, all claims against all the defendants are dismissed, and the defendants' motions to dismiss are **GRANTED.** The plaintiff's motion to strike defendant's motion to dismiss is **DENIED.** The plaintiff's motion to dimiss as defendant the United States of America is **GRANTED**. The motions for sanctions are **DENIED.** This is to be

considered a final appealable judgment and this case should now be considered closed.

Stephen R. Ludwig, Clerk

By s/ Monica Clawson
Deputy Clerk

This document entered pursuant to Rules 79 (a) and 58 Of the Federal Rules of Civil Procedure on **July 6, 2005.**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

ANNARE LOUBSER	)	
	)	
Plaintiff,	)	
v.	)	
	)	Case No. 4: 04cv0075AS
UNITED STATES OF AMERICA, et al	)	
	)	
	)	
Defendants.	)	
	)	

MEMORANDUM, ORDER AND OPINION

The plaintiff, Annare Loubser, filed a complaint against more than 40 defendants claiming that her constitutional rights were violated by a dissolution of marriage action involving her and her former husband Alexander R. Pala, in White County Circuit Court Indiana. Magistrates Judge Andrew P. Rodovich entered an order denying as moot numerous motions filed by parties, including various amendments and clarifications filed by the plaintiff and multiple motions for a more definite statement, motions to dismiss the complaint, and motions

to strike all of the allegations in the complaint filed by the defendants. In that order magistrate Judge Rodovich indicated that the plaintiffs' complaint appeared to be a collateral attack on the state court divorce proceeding. Though he allowed the plaintiff to amend her complaint, he warned her that she may be subject o sanctions if she were to file a complaint that violates the so called *Rooker Feldman* doctrine. *Rooker v. Fidelity Trust Co.*, 263 U.S.413(1923). The plaintiff subsequently filed and amended complaint and the defendants have filed various motions to dismiss and motions for sanctions. Those motions are now before the Court.

Discussion

Ms. Loubser has sued almost every party even marginally involved in her state court divorce proceeding including , among others, two trial judges, her former husband, her attorneys, two court reporters, most witnesses and the United States of America[1]. She claims that she was deprived of equal protection of the laws, she was deprived of substantive and procedural due process, state judges conspired against her and refused to disqualify themselves from her case, her first amendment rights were violated, she was placed in a state of involuntary servitude to her ex- spouse, she was discriminated against based on her age and lack of disability, she was denied the right to confront witnesses against her, she was denied the right to compulsory process to secure the attendance of witnesses, she was denied the right to assistance of counsel, there were *ex parte* communications between a judge and some of her ex- spouse's witnesses, transcripts was latered, there were derogatory remarks made about her by a deputy prosecuting attorney, and that counsel to the Indiana Judicial Qualifications Commission refused to do anything about the alleged violations of her rights. Ms. Loubser appealed her state court case, and it was affirmed by the Indiana Court of Appeals. 798 N. E. 2d 567(Ind. Ct. App.2003) The Indiana Supreme Court Denied certification.

This court will not attempt to recite all of the

plaintiff's factual allegations here, but it is clear upon examination of those allegations that she is attempting to undo the results of her state court divorce proceeding. This attempt is futile in light of the familiar *Rooker-Fledman* doctrine. That doctrine prohibits the federal district courts from reviewing state court civil judgments, including all claims that are intertwined with those judgments, including all claims that are inextricably intertwined with those judgments. *District of Columbia*

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[1] Plaintiff subsequently filed a motion to dismiss the United States as a defendant in this case(Docket No. 137). That motion is **GRANTED**.

Court of Appeals v. Feldman, 460 U.S. 462(1983); *Rooker v. Fidelity Trust Co.*,263 U.S.413(1923). In *Feldman*, the Supreme Court held that all federal claims which were "inextricably linked" with the state court judgment were precluded from relitigation in Federal Court. *Feldman*, 460 U. S. at 486. Furthermore, and unsatisfied party may not seek reversal of state court judgment simply by casting its complaint as a civil rights action. *Wright v. Thackett*, 39 F. 3d 155, 158 (7th Cir. 1994). The merits of the estate court ruling are beyond the jurisdiction of this court. *Id.* The nature of Ms. Loubser's allegations and the supporting materials submitted by her clearly demonstrate that she is in no way seeking a new, independent claim. Rather, she is dissatisfied with the state court ruling and is attempting to undermine the state court judgment.

Therefore, this court lacks subject matter jurisdiction over this claim.

In addition to the *Rooker-Feldman* doctrine, the " domestic relations exception" to federal jurisdiction also bars Ms. Loubser's claim. *Ankenbrandt v. Richards*, 504 U.S.689, 703 (1992). That exception prevents federal courts from issuing decrees in domestic relations cases such as divorce, child custody and alimony disputes. *Id.* The plaintiff is asking this Court to review and overturn the state court orders and to award damages for the

issuance of those orders, thereby effectively changing the dissolution decree entered by the state court. This Court lacks jurisdiction to do. In light of the foregoing, Ms. Loubser's claim must be dismissed pursuant to Rule 12 of the Federal Ruled of Civil Procedure.

Finally, the Court at this time declines to impose sanctions against Ms. Loubser. If she insists on proceeding improperly in this matter, however, she will be subject to sanctions. She must abide by the rules and proper procedure of this Court.

Conclusion

Pursuant to Rule 12 of the Federal Rules of Civil Procedure, all claims against all defendants are dismissed, and the defendants' motions to dismiss are **GRANTED.** The plaintiff's motion to strike defendants' motion to dismissed is **DENIED.** The plaintiffs' motion to dismiss as defendant United States of America is **GRANTED.** The motions for sanctions are **DENIED.** This is to be considered a final appealable judgment and this case should now be considered closed.

IT IS SO ORDERED.

Date: June 30, 2005

s/ ALLEN SHARP

ALLEN SHARP, JUDGE
UNITED STATES
DISTRICT COURT

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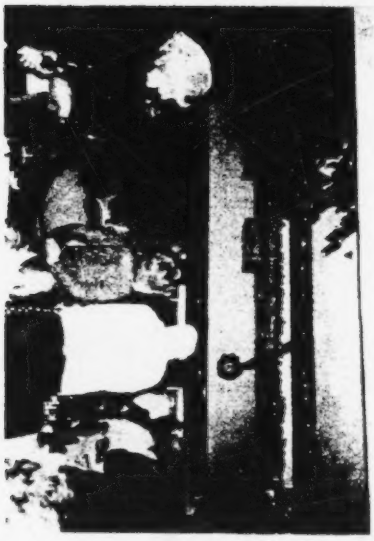
(15)



22

(15)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE

ANNARE L. LOUBSER	)	
Plaintiff,	)	
v.	)	CIVIL NO: 4: 04CV0075AS
UNITED STATES OF AMERICA et al	)	
Defendants,	)	

AFFIDAVIT OF SELF-AUTHENTICATION

1. That at the time of the trial of this cause on a October 17, 2002 I witnessed Judge Robert W. Thacker engaging in communications outside of his courtroom on the third floor of the White County Court House in his judicial robe. I saw Judge Robert W. Thacker shaking the hand of a witness, William Roth, for the petitioner, Alexander R. Pala, and then hugging another witness, David Diener, for the petitioner Alexander R. Pala.

2. On October 17th , 2002 Sondra Rumple, the court reporter for Judge Robert W. Thacker, in the courtroom, commented to Alexander R. Pala that her and her husband had dinner with Joe and Nancy Pala, and that they haven't been out with them in a long time until this week, which happened to be the same week of the Pala marriage dissolution. Joe Pala is the brother of Alexander R. Pala.

3. On October 18th , 2002, I observed Alexander R. Pala joking with Candace

BEST AVAILABLE COPY

Roth, walking around in the court room while testimony was taking place. Then, I witnessed at the conclusion of the trial Alexander R. Pala joking with Judge Robert W. Thacker saying "goodbye judgee wudgee, I will see you around town" before he left the court room.

4.On December 31, 2002 while at the Tippecanoe County Club, I witnessed Judge Robert W. Thacker engaging in conversation with Alexander R. Pala's personal Social Security representative Candice Roth. Candice Roth has been documented in this case as Mr. Pala's Social Security representative. I took pictures of Judge Robert W. Thacker and Candace Roth to document the Judge showing impartiality to the petitioner, Alexander R. Pala in a public setting.

5. Jill Roth and Dana Thacker graduated in 2002. Jill Roth and Dana Thacker also were the student editors of the yearbook their senior year. Jill Roth is the daughter of Candice and William Roth. Candice Roth is Al Pala's close friend and Social Security Representative. William Roth is also a close friend of Al Pala and was a witness on the behalf of Al Pala. Dana Thacker is the daughter of Judge Robert Thacker.

6. During the summer of June or July of 2004, I went to the White County Court House to look for the Balvich divorce file. Annare Loubser had told me her knowledge of the case and that it would be one to look into. The clerks, Paula Lance and Mary Reid, at the White County Court House were able to direct me to the books on the shelf to start looking through. I located the case number in the book and asked one of the clerks, Mary Reid, for the file. She could not locate the file, but she called Judge Thacker's court reporter, Sondra Rumple, and asked her if she had any knowledge of that

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case and or file. We had to wait a few minutes for Sondra to call Mary Reid, the clerk back. Mary then relayed the message to me, that Sondra had made a mental note of this case and that it had been transferred to Rensselear's Court House. Mary wrote on a paper, "Transferred Whole File 12-1-86, Clerk of Jasper Circuit Court" and the phone number "219-866-4927". I then called the Jasper Clerk's and asked about the Balvich file. The clerk said that she could not find the file and asked that I call back in a couple of days, that it could be on microfiche. I waited a couple of days and then called Jasper's Clerk back. The clerk then proceeded to tell me that the case was over and that it had been destroyed and was not on microfiche. She stated that there was not any record of the case at the Jasper Court House. I told Agnare Loubser about my experience at the White County Court House and what the Jasper Clerk had told me.

Further Affiant Sayeth Not.

Melissa R. Kilmer
Affiant's Signature

Melissa R. Kilmer
Affiant's Typed or Printed Name

25

State of INDIANA)
) SS:
County Of BENTON)

Before Me Notary Public, in and for said County and State, personally appeared the aforesigned, who acknowledged the execution of foregoing Affadavit of Self-Authentication, and who having first been duly sworn, stated the representation therein contained are true.

Witness my hand and Notarial Seal this 9 day of DECEMBER 2004

Hope Sinclair
Notary Public

My Commission Expires:

10 MAY 2010

County of Residence:

BENTON

Form **1120S** — **U.S. Income Tax Return for an S Corporation**

▶Do not file this form unless the corporation has timely filed Form 2553 to elect to be an S corporation.

▶See separate instructions.

CLIENT COPY

OMB No. 1545-0130

2002

Department of the Treasury Internal Revenue Service

For calendar year 2002, or tax year beginning , and ending

A Effective date of election as an S corporation: 9/26/95	Use IRS label. Otherwise, print or type. Name: Relieve Therapy Services, Inc.	C Employer identification no.: [redacted]8887	
B Business code no. (see pages 25-31): 621340	Number, street, & room or suite no. (If a P.O. box, see page 11 of the instr.): 1415 N Main Street	D Date incorporated: 9/26/95	
	City or town, state, and ZIP code: Monticello IN 47960	E Total assets (see page 11): $ 52,819	

F Check applicable boxes: (1) ☐ Initial return (2) ☐ Final return (3) ☐ Name change (4) ☐ Address change (5) ☐ Amended return

G Enter number of shareholders in the corporation at end of the tax year ▶ 1

Caution: Include only trade or business income and expenses on lines 1a through 21. See page 11 of the instructions for more information.

Income	1a	Gross receipts or sales: 518,555	b Less returns and allowances: 106,017	c Bal ▶ 1c	412,538	
	2	Cost of goods sold (Schedule A, line 8)		2		
	3	Gross profit. Subtract line 2 from line 1c		3	412,538	
	4	Net gain (loss) from Form 4797, Part II, line 18 (attach Form 4797)		4		
	5	Other income (loss) (attach schedule)		5		
	6	Total income (loss). Combine lines 3 through 5	▶	6	412,538	
Deductions (see page 12 of the instructions for limitations)	7	Compensation of officers		7	54,103	
	8	Salaries and wages (less employment credits)		8	84,890	
	9	Repairs and maintenance		9		
	10	Bad debts		10		
	11	Rents		11	14,050	
	12	Taxes and licenses		12	11,729	
	13	Interest		13		
	14a	Depreciation (if required, attach Form 4562)	14a: 2,038			
	b	Depreciation claimed on Schedule A and elsewhere on return	14b			
	c	Subtract line 14b from line 14a		14c	2,038	
	15	Depletion (Do not deduct oil and gas depletion.)		15		
	16	Advertising		16	7,302	
	17	Pension, profit-sharing, etc., plans		17	2,218	
	18	Employee benefit programs		18	11,374	
	19	Other deductions (attach schedule)	Stmt 1	19	111,516	
	20	Total deductions. Add the amounts shown in the far right column for lines 7 through 19	▶	20	299,340	
	21	Ordinary income (loss) from trade or business activities. Subtract line 20 from line 6		21	113,198	
Tax and Payments	22	Tax: a Excess net passive income tax (attach sch.)	22a			
	b	Tax from Schedule D (Form 1120S)	22b			
	c	Add lines 22a and 22b (see page 16 of the instructions for additional taxes)		22c		
	23	Payments: a 2002 estimated tax payments & amount applied from 2001 return	23a			
	b	Tax deposited with Form 7004	23b			
	c	Credit for Federal tax paid on fuels (attach Form 4136)	23c			
	d	Add lines 23a through 23c		23d		
	24	Estimated tax penalty. Check if Form 2220 is attached ▶ ☐		24		
	25	Tax due. If the total of lines 22c and 24 is larger than line 23d, enter amount owed. See page 4 of the instructions for depository method of payment ▶		25		
	26	Overpayment. If line 23d is larger than the total of lines 22c and 24, enter amount overpaid ▶		26		
	27	Enter amount of line 26 you want: Credited to 2003 estimated tax ▶	Refunded ▶	27		

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

May the IRS discuss this return with the preparer shown below (see instr.)? ☒ Yes ☐ No

Signature of officer: Annare Pala — Date — Title: President

Paid Preparer's Use Only

Preparer's signature: Deborah E. Raderstorf	Date: 2/5/03	Check if self-employed ☐	Preparer's SSN or PTIN: [redacted]8186
Firm's name (or yours if self-employed), address, and ZIP code: Raderstorf & Associates, P.C. 303 North Main Street, P.O. Box 706 Monticello, IN 47960		EIN: [redacted]592	Phone no.: 574-583-5041

For Paperwork Reduction Act Notice, see the separate instructions.

DAA

Form **1120S** (2002)

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Abie Loubser

From: "Abie Loubser"
To: <justlaw@cqc.com>
Sent: Tuesday, February 18, 2003 5:30 PM
Subject: Re: reply

--- Original Message ---
From: Justice Law Offices
To: abie@mbury.new.co.za
Sent: Monday, February 17, 2003 4:44 PM
Subject: reply

February 14, 2003

Via E-Mail
Ms. Annare L. Loubser
abie@mbury.new.co.za

RE: Pala Dissolution of Marriage
White Circuit Court
Cause No. 91C01-0108-DR-147

Dear Ms. Loubser:

The attached letter was sent this afternoon to Mr. Hoover. We will be lodging our Appeal in the next week and if bankruptcy is indicated, we will proceed on that basis under your instructions.

The issues you have brought up in your e-mail of February 12, 2003, are those which Mr. Stone will want to direct his attention on the merits of the Appeal.

I do not intend to file a Motion to Correct Errors because after full consideration I believe Judge Thacker will not change his Order in our direction in any respect. Worse, if I point out to him his errors, he may correct his Order to eliminate those potential errors but to polish his findings up to make them appeal-proof in the Court of Appeals. I believe it is the better course to file a direct appeal to the Indiana Appellate Court and intend to do so barring your specific instructions to the contrary.

It is important to remember finally, that all errors can be raised for the first time in appeal and is not necessary – in this case unadvisable I believe – to file a Motion to Correct Errors.

I am glad the weather is fair and hope that you are enjoying your time in South Africa.

Yours faithfully,

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Courtney B. Justice

(91)

2/18/03

Form **1120S** | **U.S. Income Tax Return for an S Corporation**

▶Do not file this form unless the corporation has timely filed Form 2553 to elect to be an S corporation.

▶See separate instructions

OMB No. 1545-0130

2001

Department of the Treasury Internal Revenue Service

For calendar year 2001 or tax year beginning , and ending

Effective date of election as an S corporation: 9/26/95	Use IRS label. Otherwise, print or type.	Name: Relieve Therapy Services, Inc.	C Employer identification no.: [redacted]3887
Business code no. (see pages 25-27): 621340		Number, street, and room or suite no. (If a P.O. box, see page 11 of the instructions.): 1415 N Main Street	D Date incorporated: 9/26/95
		City or town, state, and ZIP code: Monticello IN 47960	E Total assets (see page 11): $ 70,337

Check applicable boxes: (1) ☐ Initial return (2) ☐ Final return (3) ☐ Name change (4) ☐ Address change (5) ☐ Amended return

Enter number of shareholders in the corporation at end of the tax year ▶ 1

Caution. Include only trade or business income and expenses on lines 1a through 21. See page 11 of the instructions for more information.

Income	1a	Gross receipts or sales	513,897	b Less returns and allowances	69,415	c Bal ▶ 1c 444,482
	2	Cost of goods sold (Schedule A, line 8)				2
	3	Gross profit. Subtract line 2 from line 1c				3 444,482
	4	Net gain (loss) from Form 4797, Part II, line 18 (attach Form 4797)				4
	5	Other income (loss) (attach schedule)				5
	6	Total income (loss). Combine lines 3 through 5			▶	6 444,482
Deductions (see page 12 for limitations)	7	Compensation of officers				7 49,276
	8	Salaries and wages (less employment credits)				8 94,154
	9	Repairs and maintenance				9 727
	10	Bad debts				10
	11	Rents				11 11,976
	12	Taxes and licenses				12 12,490
	13	Interest				13 2,228
	14a	Depreciation (if required, attach Form 4562)		14a 2,590		
	b	Depreciation claimed on Schedule A and elsewhere on return		14b		
	c	Subtract line 14b from line 14a				14c 2,590
	15	Depletion (Do not deduct oil and gas depletion.)				15
	16	Advertising				16 8,994
	17	Pension, profit-sharing, etc. plans				17 3,650
	18	Employee benefit programs				18 10,968
	19	Other deductions (attach schedule)		Stmt 1		19 105,601
	20	Total deductions. Add the amounts shown in the far right column for lines 7 through 19			▶	20 302,654
	21	Ordinary income (loss) from trade or business activities. Subtract line 20 from line 6				21 141,828
Tax and Payments	22	Tax: a Excess net passive income tax (attach sch.)		22a		
	b	Tax from Schedule D (Form 1120S)		22b		
	c	Add lines 22a and 22b (see page 16 of the instructions for additional taxes)				22c
	23	Payments: a 2001 estimated tax payments & amount applied from 2000 return		23a		
	b	Tax deposited with Form 7004		23b		
	c	Credit for Federal tax paid on fuels (attach Form 4136)		23c		
	d	Add lines 23a through 23c				23d
	24	Estimated tax penalty. Check if Form 2220 is attached			▶ ☐	24
	25	Tax due. If the total of lines 22c and 24 is larger than line 23d, enter amount owed. See page 4 of the instructions for depository method of payment			▶	25
	26	Overpayment. If line 23d is larger than the total of lines 22c and 24, enter amount overpaid			▶	26
	27	Enter amount of line 26 you want: Credited to 2002 estimated tax ▶		Refunded	▶	27

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Annare Pala — President

Signature of officer — Date — Title

May the IRS discuss this return with the preparer shown below (see page 27)? ☒ Yes ☐ No

Paid Preparer's Use Only

Preparer's signature	Date 1/31/02	Check if self-employed ☐	Preparer's SSN or PTIN [redacted]8186
Firm's name (or yours if self-employed) and address: Raderstorf & Associates, P.C. 303 North Main Street, P.O. Box 706 Monticello, IN 47960			EIN [redacted]6592 Phone no. 219-583-5041

For Paperwork Reduction Act Notice, see the separate instructions. 29 89 Form 1120S (2001)

UNITED STATESDISTRICT COURT
NOTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE

ANNARE L. LOUBSER	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL NO: 4: 04CV0075AS
	)	
UNITED STATES OF AMERICA, et al	)	
	)	
Defendants,	)	

AFFIDAVIT OF SELF-AUTHENTICATION

The undersigned, being first duly- sworn upon oath, now says:

1) On March 30, 2004 between 2:00 and 3:30 p.m., a meeting was held between Annare Loubser, Attorney Charles Traylor and me regarding various financial issues. Specifically discussed was the following:
   a. Possibility of filing bankruptcy – determined not in Annare's best interest and more than likely she wouldn't be able to qualify even with the reduced level of income that the business earning.
   b. The move to Indianapolis area and starting work at a different Physical Therapist location
      i. Including the sale and its related ramifications of the Monticello practice (i.e. how much could it sell for, what would she be able to retain, how much goes to ex-husband).
      ii. Possibility of hiring a full-time Physical therapist to operate the Monticello practice while Annare gets situated in Indianapolis area.

   The attorney recommended that Annare stay in Monticello and continue to try and grow that practice versus the above ideas of selling the practice and moving to Indianapolis to start anew. The reason being, per the attorney, is that the court would not look favorably upon Annare getting rid of her business operation to start afresh at a much reduced pay and income source. He indicated the courts could possibly not alter the payments being required to go to Annare's ex-husband (i.e. payments would be calculated still at the old level of income versus new reduced level of income) and therefore leaving Annare with nothing to live on.

2) In accordance with Annare's moving to suburbs of Indianapolis, her individual tax return was mailed to the following address which was indicated to us as her new location:

(120)

Annare Loubser
14614 Bach Drive #533
Carmel, IN 46032-7068

Further Affiant Sayeth Not.

Affiant's Signature

Affiant's Typed or Printed Name

State of Indiana)
) SS:
County of Hamilton)

Before Me Notary Public, in and for said County and State, personally appeared the aforesigned, who acknowledged the execution of foregoing Affidavit of Self-Authentication, and who having first been duly sworn, stated the representation therein contained are true.

Witness my hand and Notarial Seal this 15th day of Dec., 2004.

JENNY MUSSER
NOTARY PUBLIC
SEAL
STATE OF INDIANA
MY COMMISSION EXPIRES DEC. 4, 2011

Notary Public

My Commission Expires:

12.4.11

County of Residence:

Hamilton

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-120

seen in that chair, but - okay.

THE COURT: It's easier than him being over a ten foot putt. That's when he's really uncomfortable.

WITNESS: Yeah, and particularly when the Judge says, "We need this to tie."

MR. HOOVER: I have no more questions. Thank you, Mr. Diener.

THE COURT: Mr. Justice, cross examine.

MR. JUSTICE: Just a couple of short questions, Judge.

THE COURT: Okay.

CROSS EXAMINATION

BY MR. JUSTICE:

Q Uh, you testified you knew the parties. You knew Annare and you knew Al?

A Correct.

Q Both good people?

A Correct.

Q Hard working?

A Yes.

Q Intelligent?

A Yes.

Q Truthful?

A To the best of my knowledge, yes Sir.

Q Goes for both of them?

A That's correct.

Q And what - you described Al as a hard worker when he was

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R. Dennis Hoover
Attorney
128 South Main Street
Monticello, Indiana
Tel. (219) 583-0784
Fax (775) 208-6948

Mailing Address
P.O. Box 926
Monticello, IN 47960-0926
E-Mail rdhoover@lawyer.com

July 10, 2002

BY FAX

Brent R. Dechert, Esq.
Dechert Law Office
217 N. Main St. - P.O. Box 667
Kokomo, Indiana 46903-0667
Tel 765-459-0764
Fax 765-452-3673

Re: *Pala Dissolution*
White Circuit Court
Cause No. 91C01-0108-DR-147

Dear Mr. Dechert:

Subject to SSA approval (if necessary), this is my proposal concerning handling of the SSA records:

1. Al will appoint Candice Roth as his SSA representative.
2. Mrs. Roth (and I) will make arrangements and an appointment for her to go to the SSA office and copy the files.
3. We will notify you at least 7 days in advance of the date and time of the appointment.
4. Mrs. Pala's representative will meet Mrs. Roth at the SSA office (10 S. 2nd St., Lafayette) at the appointed time.
5. Mrs. Roth and Mrs. Pala's representative will:
   a. Copy the entire SSA file.
   b. Place the file in one or more envelopes, and seal and initial it/them.
   c. (Candice will) transport the envelopes directly to a copying service (preferably Copiers Plus in Monticello), where Mrs. Pala's representative may meet her;
   d. Have two (2) copies of the file made by the copying service;
   e. Each pay half (½) of the copying cost; and
   f. Each sign an original and two (2) copies of a statement previously approved by you and me to the effect that "this is a true and complete copy of Al's SSA file."
6. Mrs. Pala's representative will retain (for delivery to you) one of the copies of the file and statement.
7. Mrs. Roth will retain (for delivery to me) the original and the other copy.
8. You and I will prepare and submit a stipulation that the file is a joint exhibit, is authentic, is material to the issues in the case, and is admissible.

Please advise whether this is acceptable.

Kindest regards.

Sincerely,

Dennis Hoover

R. Dennis Hoover

Enc. as indicated
cc. Mr. Pala
Mrs. Roth

FILED
JUL 29 2002
CLERK WHITE CIRCUIT COURT

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Date	Description	Rate	Time	Amount
0624	Review letter from Daryl Carson, Peoples S&L. Study real estate and loan documents and notes. Make entries into chronology. Telephone conference with and fax to Theresa Lepper. Finish-fax-mail additional interrogatories. Phone conference with client. Re-fax 3d party discovery requests to opposing counsel	150	4.30	645.00
0625	Receive/study 21-page fax from Prudential re insurance values. Phone conference and office conference with client. Skim new documents presented by client. Client will obtain info from Diener, has been promised appraisals by Cindy Duff, is obtaining closing statements from White Co Abstract. Copies of recent pleadings to client. Deliver subpoena etc. to accountant Raderstorf.	150	2.00	300.00
0626	(After 5pm) Receipt-study of LF Atty Dechert with copies of discovery requests (29 cages). Prepare-fax letter to Atty Dechert; copy for client.	150	1.20	182.00
0626	Work on organizing exhibits	40	0.30	12.00
0627	Telephone conferences with accountant Raderstorf. Prepare letter to Raderstorf. Telephone conference with accountant Dobson. Letter by fax to Dobson	150	2.30	345.00
0627	Re-do Table of Contents for Discovery. Make copies of new documents provided by client. Label copies. Scan portions of new documents.	40	1.10	44.00
0628	Office conference with Larry Culp. Prepare outlines re 2882 Baers Court.	150	2.10	315.00
0629	Rev-review papers from Monti Banking Center.	150	0.20	30.00
0701	Prepare setup for client's responses to Respondent's Motion to Produce	25	1.00	
0704	Prepare client's responses to Respondent's interrogatories. Telephone conference with Atty Dechert, scheduled depositions. Phone conference with client. Conference with client at his home	150	7.10	1065.00
0705	Further conference with client at his home	0	0.70	0.00
0702	Office conference with Client. Review letter from Dechert to Lavin. Fax to Lavin.	150	2.20	330.00
0703	Letter to opposing counsel with copy of filed agreement. Fax from Atty Dechert with W's 3rd set of interrogs and requests for production	150	0.60	90.00
0708	Prepare copies of (2) appraisals. Work on marshaling data for sending discovery and for presentation of evidence	40	3.80	152.00
0708	Telephone conference with Raderstorf. Office conference with Larry Culp, returned appraisals, says his 2nd appraisal and Cindy Duff's did not include all property.	150	0.50	75.00
0709	Telephone conference with Mrs. C. Ruth. Prepare SSA representative form for C. Roth.	150	0.40	60.00

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Date	Description	Rate	Time	Amount
0710	Work on stipulation ideas for SSA records. Attempted calls to SSA. Letter to SSA. Receive-review W's 3rd set of interrogs and requests for production, medical releases. (Hard copy.) Letter to opposing counsel Dechert. Prepare-fax-mail notice of dep. Arrange court reporter. Fax notice of dep to court reporter (M. Jones). Phone and office conferences with staff at Raderstorf office. Office conference with Client and Roger Harmon; review things to do including bank statements-checks project, interrogatories, physician visit, SSA records. Work on answers to W's 2rd set of interrogs.	150	8.70	1305.00
0711	Receive-review W's notices of deposition. Pick up data from Acct Raderstorf. Fax to Raderstorf. Begin work on findings of fact and conclusions of law.	150	3.80	570.00
0712	Letter to SSA. Telephone conference with Client. Office conference with C. Ruth. Office conference with Client, Roger Harmon. Telephone conference with opposing counsel Dechert. Telephone conference with Raderstorf. Rcv data from Raderstorf.	150	2.80	420.00
0715	Review client's answers to 2nd set of interrogs. Conference with Larry Culp. Return 4/26/02 appraisals to L. Lavin. Prepare memos for trial testimony. File organization. Telephone conference with Del Principe.	150	3.00	450.00
0717	Telephone message from Atty Dechert. Telephone conference with Maryann Fleming, declines to examine client. Telephone conference with SSA-Lafayette; will order file from Kansas, here in 2 weeks, will call when it's ready, copy of decision may be at OHA-Indy. Telephone conference with OHA-Indy, they purge records every 2 years. Letter from Atty Dechert with Oxford Bank records. Do reply fax to Atty Dechert re depositions.	150	1.30	195.00
0718	Prepare copies of appraisals. Organization of new exhibits.	25	1.20	30.00
0718	Phone conference and office conference with L. Lavin, receive and discuss new appraisal. Receive new bill. Telephone conference with opposing counsel Dechert, agreement to do AFs dep first in exchange for receiving computer disks asap.	150	0.90	135.00
0719	Office conference with Client, Roger Harmon. Work on answers to W's 2rd set of interrogs.	150	6.40	960.00
0719	Additional uncharged work.	0	3.00	0.00
0720	Continue work on interrog answers. Office conference with client.	150	3.80	570.00
0720	Type revisions to interrog answers from client conference. Prepare final draft for client signature.	25	1.10	27.50
0720	Additional uncharged work.	0	2.90	0.00
0721	Prepare billing statement.	0	2.40	0.00
0721	LT Relieve Therapy requesting patient records, fax copy to opposing counsel. Prepare revised notice of deposition, fax/mail to opposing counsel. Review LF Chase re $50K mortgage.	150	0.80	120.00

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STATE OF INDIANA	)	WHITE CIRCUIT COURT
	)SS:	
COUNTY OF WHITE	)	2004 TERM

IN RE: THE MARRIAGE OF	)	
ALEXANDER R. PALA,	)	
Petitioner	)	
and	)	
	)	
ANNARE L. (PALA) LOUBSER	)	CAUSE NO.: 91C01-0108-DR-147
Respondent	)	

AFFIDAVIT OF ANNARE L. LOUBSER

1. On October 17th, 2002 first recess of above trial, on the third floor of White County Court house, outside courtroom door, Defendant Robert W. Thacker was observed engaging in *ex parte* communication with William Roth witness in opposition , who was still sworn in to testify after recess and husband of Candace Roth SSI Representative of Alexander R. Pala. Defendant Robert W. Thacker was dressed in his black judicial cloak.
2. Defendant Robert W. Thacker engaged in *ex parte* Communications with witness in opposition, David Diener, at recess at the above mentioned location in official dress, before he testified. On October 17th, 2002
3. Sondra Rumple Court Reporter in court room stated to Alexander Pala that her and her husband had dinner with Nancy and Joe Pala, Alexander R Pala's Brother and wife , just before trial. She commented that they have not been out for a long time till this week of trial. October 17th, 2002
4. On October 18th , 2002 Alexander R. Pala walked around in court room during plaintiff's professional witness testimony on business value and engaged in laughter with Candace Roth. In court room Alexander engaged in laughter with defendant Robert W. Thacker who was on the bench yet, as he walked across the courtroom floor saying" goodbye judgee wudgee I will see you around town"
5. Plaintiff observed Candace Roth SSI representative and relative of Alexander R. Pala engaging in *ex parte* communication with defendant Robert W. Thacker at the Tippecanoe Country Club on December 31st , 2002 Melissa Kilmer documented this event with pictures she took. Defendant Robert W. Thacker used his knowledge of plaintiff socializing with friends he obtained outside of courtroom on this night, as fact for equal standard of living determination" both parties continue to socialize with friends"

Defendant Robert W. Thacker's behavior in and out of courtroom conveyed the impression of partiality ,of the judge, to Alexander R. Pala, while "under color of law".

I affirm under penalties of perjury that the above information is true to the best of my knowledge and the representations are true.

October 12, 2004

Annare L. Loubser

PRO PER ANNARE L. LOUBSER

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(31)

years and can reasonably be expected to earn in that range during her working life over the next 20 years. The parties were married for approximately seven years, which was a first marriage for each party. The parties have no children. The parties have no dependent persons to support. The parties lived well during the marriage, enjoying many vacations, and spent a great deal of time together and with friends, especially on the weekends. The parties enjoyed many summer and winter recreational activities. The parties enjoyed a social life. The parties enjoyed entertaining their friends and being entertained. The parties have many friends in the community. The Wife has a normal life expectancy of approximately 40 years. The Husband does not have a normal life expectancy due to dwarfism and the expected deterioration of his physical health. During the period of separation from August 6, 2001 to the date of the final hearing on October 18, 2002, the parties have had a difficult time adjusting. The parties continue to be angry toward each other. During this lengthy separation period of time, the Husband was able to continue to reside in the marital home, due to the terms of the Provisional Order which required the Wife to pay from her earnings the monthly household expenses including the mortgage, homeowner's insurance and real estate taxes, and to maintain the Husband's health insurance including dental, and his life insurance. During that period of time, the Wife had sufficient earnings to maintain the marital home for the Husband and also to provide a rented residence for herself. During that period of time, both parties continued to socialize with their friends. During that period of time, both parties also expended much time, effort, and expense in aggressively pursuing the representation of their interests in the dissolution. Based on the foregoing factors, the Court determines that it is fair, just and reasonable that a

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STATE OF INDIANA	)	WHITE CIRCUIT COURT
	)SS:	
COUNTY OF WHITE	)	2004 TERM

IN RE: THE MARRIAGE OF	)	
ALEXANDER R. PALA,	)	
Petitioner	)	
and	)	
	)	
ANNARE L. (PALA) LOURSER	)	CAUSE NO.: 91C01-0108-DR-147
Respondent	)	

AFFIDAVIT OF MELISSA R. KILMER

1. That at the time of the trial of this cause on a October 17, 2002 I witnessed Judge Robert W. Thacker engaging in communications outside of his courtroom on the third floor of the White County Court House in his judicial robe. I saw Judge Robert W. Thacker shaking the hand of a witness, William Roth, for the petitioner, Alexander R. Pala, and then hugging another witness, David Diener, for the petitioner Alexander R. Pala
2. On October 17th, 2001 Sondra Rumple, the court reporter for Judge Robert W. Thacker, in the courtroom, commented to Alexander R. Pala that her and her husband had dinner with Joe and Nancy Pala, and that they haven't been out with them in a long time until this week, which happened to be the same week of the Pala marriage dissolution. Joe Pala is the brother of Alexander R. Pala.
3. On October 18th, 2001. I observed Alexander R. Pala joking with Candace Roth, walking around in the court room while testimony was taking place. Then, I witnessed at the conclusion of the trial Alexander R. Pala joking with Judge Robert W. Thacker saying "goodbye judge wedgee, I will see you around town" before he left the court room.
4. On December 31, 2002 while at the Tippecanoe County Club, I witnessed Judge Robert W. Thacker engaging in conversation with Alexander R. Pala's personal Social Security representative Candice Roth. Candice Roth has been documented in this case as Mr. Pala's Social Security representative, I took pictures of Judge Robert W. Thacker and Candace Roth to document the Judge showing impartiality to the petitioner, Alexander R. Pala in a public setting.

I affirm under penalties of perjury that the above information is true to the best of my knowledge and the representations are true.

October 12, 2004

Melissa R. Kilmer

Melissa R. Kilmer

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to the marriage. The parties lived at such residence until their separation in August, 2001. Soon after the marriage, the Wife changed employment. She left White County Memorial Hospital and became employed at the Kokomo Orthopedic Clinic in 1995. In 1996, the Wife returned to Monticello to become employed at Twin Lakes Rehabilitation. During the marriage, in 1999, the Wife started her own physical therapy business in Monticello known as Relief Therapy Services, Inc. The business consists of a rented office space with two clerical staff, a physical therapy assistant, and the physical therapist Wife. For tax purposes, the business operates on a fiscal year basis beginning on August 1st. For the tax year August 1, 2001 to July 31, 2002, the business had net earnings of approximately $200,000.00. During the tax year beginning August 1, 2002, the Wife's business has continued to perform well financially, except there has been some business decrease due to a slow-down in the local economy with a few industrial lay-offs and closures which have resulted in a decrease of physical therapy referrals through group health insurance providers. During the marriage, with regard to the parties' residential real estate, the parties made improvements and refinanced the Husband's original residence resulting in an increased value at the time of the filing of the dissolution of $241,000.00 with an increased mortgage balance of $160,000.00. In addition, during the marriage, the parties acquired an adjacent rental property in April, 1998 at a cost of $78,500.00 with a mortgage of approximately $50,000.00. The current mortgage payments are $1,417.00 per month on the residential real estate and $474.00 per month on the adjacent rental property.

FILED
JAN 23 2003

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(15)

Justice Law Offices

JUSTICE

Courtney B. Justice *

Susannah M. Hall-Justice **

Mark Brown (1941-2002)

* Also admitted to the Bar of the District of Columbia

** Also admitted to the Bar of the State of Illinois

627 E. Market St.
Logansport, IN 46947
Telephone: 574-722-2866
Toll Free: 877-847-4222
FAX: 574-722-3502
e-mail: justlaw@sgc.com

October 5, 2004

Ms. Annare L. Loubser
1415 Main Street
Monticello, Indiana 47960

By Fax
574-583-9951

Dear Ms. Loubser:

At your request and for your immediate review, I am faxing the following:

1. Motion To Correct Errors (T.R. 59). (Due October 15, 2004)

2. Motion For Leave To File Interlocutory Appeal (Appellate Rule 14) (Due October 15, 2004)

3. Motion To Reconsider (T.R. 53.4) No deadline.

4. Motion For Entry finding No Just Reason For Delay and Entry of Judgment. (Trial Rule 54(B) No deadline.

Each of the foregoing deals with the Order of September 15, 2004, and the Court's determination that Mr. Pala receive $3,611.65 out of 2002 the tax refund.

You have asked me to file a Motion To Correct Errors. I repeat in this letter what I told you on at least two occasions since August 26th: I do not believe it is in your best interest to challenge Judge Kepner's Order on this issue. I know you feel strongly that his decision on the tax refund was incorrect, and that a motion to correct errors should be filed. I recommend against that action, however, because of the positive results this Order represents overall, and because the Court is unlikely to change its mind.

Alternate Locations:
312 E. Main St. • Delphi, IN 46923 • Toll Free: 877-847-4333 • FAX: 765-564-3249
710 Brown St., Suite 3 • Lafayette, IN 47901 • Toll Free: 877-742-2987 • FAX: 765-420-0948

(1)

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BEST AVAILABLE COPY

Respectfully submitted,

Annare L Loubser Pro Se
1415 N Main Street
Monticello, IN 47960
574-583-9950

CERTIFICATE OF SERVICE

I hereby certify that on 10 day of May, 2006 a true and complete copy of the foregoing was served upon each of the following individuals by depositing a copy of same to each in the United States mail with sufficient first class postage affixed thereto.

Robert W. Thacker
4543 E. Fairway Court
Monticello, IN, 47960

Rex W. Kepner
706 E. Fifth Street
Fowler, IN 47944

Steve Carter
Attorney General of Indiana
Elizabeth Rogers
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South Fifth Floor
302 West Washington Street
Indianapolis , IN 46204-2770